

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CSX TRANSPORTATION, INC.	)	CIVIL ACTION
500 Water Street	)	
Jacksonville, FL 32202-4423	)	
Plaintiff	)	
	)	
v.	)	CASE NO.: 05-139 Erie
	)	
PORT ERIE PLASTICS, INC.	)	
909 Troupe Road	)	
Harborcreek, PA 16421	)	RELATED DOCUMENT NO. ____
Defendant	)	

**ORDER**

AND NOW, to-wit, this \_\_\_\_ day of \_\_\_\_\_, 2006, upon consideration of the Motion for Summary Judgment on Behalf of Defendant Port Erie Plastics, Inc., including the Brief and appendix filed in support thereof as well as the opposition thereto filed by plaintiff CSX Transportation, Inc., and it appearing that there are no genuine issues as to any material fact and that defendant Port Erie Plastics, Inc. is entitled to judgment as a matter of law with respect to all claims set forth in Plaintiff's Amended Complaint,

IT IS ORDERED that the Motion for Summary Judgment on Behalf of Port Erie Plastics, Inc. is hereby GRANTED and that summary judgment is hereby entered in favor of defendant Port Erie Plastics, Inc. and against plaintiff CSX Transportation, Inc. with respect to all claims set forth in Plaintiff's Amended Complaint.

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Sean J. McLaughlin  
United States District Judge